

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

CIVIL NO. 12-2039 (GAG)(PG)

Plaintiff,

v.

COMMONWEALTH OF PUERTO RICO,
et. al.

Defendants.

**EXTENSION OF TIME TO SUBMIT SUPPLEMENTAL JOINT MOTION INFORMING
COURT OF MATTERS RELATED TO THE AFTERMATH OF HURRICANE MARIA**

TO THE HONORABLE COURT:

COME NOW the Commonwealth of Puerto Rico and The Puerto Rico Police Bureau, through the undersigned counsel, and respectfully allege and pray as follows:

1. On October 4, 2017, this Honorable Court issued an Order in this case regarding the aftermath of Hurricane Maria. The Court's Order requested that the Parties, in collaboration with the TCA, "and ultimate court approval," "prospectively adopt a new framework that considers the post Maria scenario now part of the equation, and the vastly diminished resources presently available." (See Docket 624 at 2)

2. The Court further instructed the Parties to revise existing deadlines and agree to realistic ones because the current "ongoing timeframes were set under a scenario that has now changed." *Id.* at ¶ 1. The Parties agree with the Court's reasoning that it is unrealistic to expect that PRPD achieve and continue its up to date compliance under the present conditions, more so when the Commonwealth and

PRPD's personnel resources are principally committed to disaster relief effort and maintaining state of law and order throughout the island. (See Docket 624, p.2, ¶1).

3. On December 1, 2017, the Parties submitted a Joint Motion Informing the Court of Matters Related To The Aftermath Of Hurricane Maria. The Parties informed the Court on actions that they had taken with the TCA to ensure continued progress on reforms that were underway before Hurricane Maria and assessed the current conditions facing the Puerto Rico Police Bureau (PRPB). Moreover, the Parties and the TCA identified areas that required additional evaluation, and that would be the subject of a supplemental joint informative motion. (See Docket No. 656).

4. On November 17, 2017, this Honorable Court issued an order setting a timetable based on all pending matters. Specifically, the Court ordered that the Parties submit a supplemental joint motion informing court of matters related to the aftermath of Hurricane Maria by January 31, 2018. (See Docket No. 644).

5. In order to fully comply with the Court's Order, the PRPB will need additional time to continue its assessment on the current state of the Bureau and to determine what timeframes in the Action Plans need to be modified. The PRPB expects to finish its assessment before the next TCA's visit in the month of February, in which the Parties and TCA will be able to discuss the assessment and modifications to the timeframes in the Action Plans.

6. Consequently, the Commonwealth requests an extension of time, until February 23, 2018, for the Parties to submit a supplemental joint motion, which includes a complete assessment on current state of the Bureau, in order to determine whether any modifications are necessary, pursuant to Paragraph 239 of the Agreement.

7. The undersigned conferred with both USDOJ and the TCA on this matter.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of the above stated and grant this instant motion for an extension of time, until February 23, 2018, to submit a supplemental joint motion, which includes a complete assessment on current state of the Bureau, in order to determine whether any modifications are necessary, pursuant to Paragraph 239 of the Agreement.

I HEREBY CERTIFY that on this same date, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to all attorneys of record.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, on January 31, 2018.

WANDA VÁZQUEZ GARCED
Secretary of Justice

WANDYMAR BURGOS VARGAS
Deputy Secretary in Charge of
Litigation
Department of Justice

SUSANA PEÑAGARÍCANO BROWN
Director of Federal Litigation
and Bankruptcy Division

S/JOEL TORRES ORTIZ
Joel Torres Ortiz
U.S.D.C. NO. 302311
Federal Litigation Division
Department of Justice

P.O. Box 9020192
San Juan, P.R., 00902-0192
Tel. (787) 721-2900, ext. 2647,2650,2624,2606
Fax (787) 723-9188
joeltorres@justicia.pr.gov